



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) (PD) No.2023 of 2018

and

C.M.P. (MD) No.8961 of 2018

S.Ashok ...Petitioner / Petitioner / Petitioner /
3rd Party
/Vs./

1.Pounraj ...1st Respondent /1st Respondent / 1st Respondent/
Plaintiff
2.Velmurugan ...2nd Respondent /2nd Respondent / 2nd Respondent/
Defendant

Prayer: Civil Revision Petition - filed under Article 227 of the Constitution of India, to call for the records relating to the fair and decretal order dated 25.06.2018 made in I.A.No.490 of 2018 in I.A.No.154 of 2018 in O.S.No.100 of 2017 on the file of the VI Additional District Judge, Madurai and to set aside the same and allow the civil revision petition.

For Petitioner : Mr.V.Sasikumar
For R-1 : Mr.S.Devaraj

ORDER

Heard the learned counsel appearing for the revision petitioner and the first respondent.

2. The first respondent filed O.S.No.100 of 2017 before the Sixth Additional District Judge, Madurai, for directing the second respondent herein to pay a sum of Rs.72,16,000/- with interest and for passing a charge decree in respect of the schedule mentioned property for due payment of decretal amount. In the said suit, the revision petitioner filed I.A.No.154 of 2018 for getting himself impleaded. It appears that the arguments in I.A.No.154 of 2018 was concluded on 16.06.2018 and the matter was posted "for orders" on 25.06.2018. In the meanwhile, the revision petitioner filed I.A.No.490 of 2018 for receiving as many as nine documents. The said I.A.No.490 of 2018 was dismissed on 25.06.2018 on the ground that the documents filed by the revision petitioner are only photocopies. Questioning the same, the civil revision petition has been filed.

<https://hcservices.ecourts.gov.in/hcservices/>

3. This Court is of the view that the Court below rightly dismissed I.A.No.490 of 2018. Admittedly, what was available before



the Court below were only photocopies. Therefore, no exception can be taken to the order of dismissal impugned in the CRP.

4. At this stage, the learned counsel appearing for the revision petitioner submitted that actually the documents in question are very much in the Court custody.

5. It appears that he has also lodged a complaint before the learned Principal District Judge, Madurai. This Court does not want to go into the correctness of the said assertion. If the revision petitioner is able to produce the original documents, the same can be received and marked in I.A.No.154 of 2018. The revision petitioner is given liberty to take out a fresh application in this regard. But, then, the matter cannot be put on hold indefinitely. The revision petitioner is given 10 days time to file such an application. If such an application is taken out within 10 days, the same shall be disposed along with I.A.No.154 of 2010 on or before 12.10.2018.

6. With these observations, the civil revision petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

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To
The VI Additional District Judge,
Madurai.

Copy To
The Principal District Judge,
Madurai.

+1cc to Mr.V.Sasikumar, Advocate SR No.84839
+1cc to Mr.S.Devaraj, Advocate SR No.84412

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NM/SKN/SAR 1/20.09.18/2P/5C